

**§ 93.425 Declaration for ruminants.**

For all ruminants offered for importation from Mexico, the importer or his or her agent shall present two copies of a declaration as provided in § 93.407.

[55 FR 31495, Aug. 2, 1990. Redesignated and amended at 62 FR 56012, 56019, Oct. 28, 1997]

**§ 93.426 Inspection at port of entry.**

(a) All ruminants offered for entry from Mexico, including such ruminants intended for movement through the United States in bond for immediate return to Mexico, shall be inspected at the port of entry, and all such ruminants found to be free from communicable disease and fever tick infestation, and not to have been exposed thereto, shall be admitted into the United States subject to the other applicable provisions of this part. Ruminants found to be affected with or to have been exposed to a communicable disease, or infested with fever ticks, shall be refused entry except as provided in § 93.427(b)(2). Ruminants refused entry shall be handled thereafter in accordance with provisions of section 8 of the Act of August 30, 1890 (26 Stat. 416; 21 U.S.C. 103) or quarantined or otherwise disposed of as the Administrator, may direct.

(b) Ruminants covered by paragraph (a) of this section shall be imported through ports, designated in § 93.403, which are equipped with facilities necessary for proper chute inspection, dipping, and testing, as provided in this part.

[55 FR 31495, Aug. 2, 1990, as amended at 60 FR 13898, Mar. 15, 1995. Redesignated and amended at 62 FR 56012, 56019, Oct. 28, 1997]

**§ 93.427 Cattle from Mexico.**

(a) Cattle and other ruminants imported from Mexico, except animals being transported in bond for immediate return to Mexico or animals imported for immediate slaughter, may be detained at the port of entry, and there subjected to such disinfection, blood tests, other tests, and dipping as required in this part to determine their freedom from any communicable disease or infection of such disease. The importer shall be responsible for the care, feed, and handling of the animals during the period of detention.

(b) *Fever ticks.* (1) Except as provided in paragraph (b)(2) of this section, all cattle intended for importation from Mexico, for purposes other than immediate slaughter, shall be accompanied by a certificate issued in accordance with § 93.405(a), and showing that the veterinarian issuing the certificate inspected the cattle at the time of movement to the port of entry and found them free from any evidence of communicable disease and that, as far as it has been possible to determine, they have not been exposed to any such disease, including splenetic, southern or tick fever, during the preceding 60 days and, if shipped by rail or truck, the certificate shall further specify that the cattle were loaded into clean and disinfected cars or trucks for transportation direct to the port of entry. They shall also be accompanied by a certificate of the importer, or his or her agent supervising the shipment, stating that while en route to the port of entry they have not been trailed or driven through any district or area infested with fever ticks. Notwithstanding such certificates, such cattle shall be detained as provided in paragraph (a) of this section and shall be dipped at least once, under the supervision of an inspector, in one of the permitted dips listed in § 72.13(b) of this chapter. The selection of the permitted dip to be used will be made by the port veterinarian in each case. The owner or his or her agent shall first execute an application for inspection and dipping as provided in paragraph (b)(2)(iii) of this section.

(2) Cattle that have been exposed to splenetic, southern, or tick fever, or that have been infested with or exposed to fever ticks, may be imported from Mexico for admission into the State of Texas, except into areas quarantined because of said disease or tick infestation as specified in § 72.5 of this chapter, either at one of the land border ports in Texas listed in § 93.403(c) of this part, or at the port of Santa Teresa, NM, provided that the following conditions are strictly observed and complied with:

(i) The cattle shall be accompanied by a certificate issued in accordance with § 93.405(a), and showing that the veterinarian issuing the certificate has

inspected the cattle and found them free from fever ticks and any evidence of communicable disease, and that, as far as it has been possible to determine, they have not been exposed to any such disease, except splenetic, southern, or tick fever, during the 60 days immediately preceding their movement to the port of entry.

(ii) The cattle shall be shown by a certificate issued in accordance with § 93.405(a) to have been dipped in a tick-icidal dip within 7 to 12 days before being offered for entry.

(iii) The importer, or his or her duly authorized agent, shall first execute and deliver to an inspector at the port of entry an application for inspection and supervised dipping wherein he or she shall agree to waive all claims against the United States for any loss or damage to the cattle occasioned by or resulting from dipping, or resulting from the fact that they are later found to be still tick infested; and also for all subsequent loss or damage to any other cattle in the possession or control of such importer which may come into contact with the cattle so dipped.

(iv) The cattle when offered for entry shall receive a chute inspection by an inspector. If found free from ticks they shall be given one dipping in one of the permitted dips listed in § 72.13(b) of this chapter under the supervision of an inspector 7 to 14 days after the dipping required by paragraph (b)(2)(ii) of this section. The selection of the permitted dip to be used will be made by the port veterinarian in each case. If found to be infested with fever ticks, the entire lot of cattle shall be rejected and will not be again inspected for entry until 10 to 14 days after they have again been dipped in the manner provided by paragraph (b)(2)(ii) of this section.

(v) The conditions at the port of entry shall be such that the subsequent movement of the cattle can be made without exposure to fever ticks.

(c) *Tuberculosis.* (1) In addition to the provisions required in the certificate under paragraph (b) of this section, such certificate shall also show, with respect to all cattle from Mexico, except cattle certified in accordance with § 93.429, that a review of the available herd history, including any tuberculin test results, traceback slaughter re-

ports and post-mortem record, and any other available records or information do not indicate evidence of tuberculosis or exposure thereto during the preceding 60 days. The certificate shall also show, with respect to all cattle, except cattle certified in accordance with § 93.429 and steers, that the herd or herds from which the cattle proceed have been tuberculin tested with negative results not more than 12 months nor less than 3 months before the date the animals are offered for entry into the United States and that the animals presented for entry, excepting only the natural increase in the herd, were included in the herd or herds of origin at the time of said herd test. The certificate shall further show, with respect to steers, except those certified in accordance with § 93.429, that each animal has been tested with negative results either by a salaried veterinarian of the National Government of Mexico or by a veterinarian accredited by the National Government of Mexico, not more than 60 days before the date the animals are offered for entry into the United States: *Provided*, That for steers not so tested and certified, the importer may elect to have the tuberculin test completed at the port of entry under the supervision of the port veterinarian. The said certificate shall give the date and place of inspection, the date and place and results of the tuberculin test if applicable, the name of the herd owner, the name of the consignor and consignee, and an individual description of each animal including breed, age, sex, and tattoo and official Mexican Ministry of Agriculture and Water Resources (SARH) blue eartag numbers. However, cattle, including steers, that originated in herds declared to be tuberculosis-accredited by the Government of Mexico in accordance with that region's standards do not have to comply with the other provisions of this paragraph if they are moved directly to the U.S. port of entry from their herd of origin without having commingled with cattle from any herd not so accredited enroute to the port of entry, and they are accompanied by a health certificate, issued in accordance with § 93.405(a), stating that the cattle originated in such a tuberculosis-accredited herd and identifying

the animals by official Mexican Ministry of Agriculture and Water Resources (SARH) blue eartag and tattoo numbers.

(2) Each steer imported into the United States from Mexico shall be identified with a distinct, permanent, and legible "M" mark applied with a freeze brand, hot iron, or other method prior to arrival at a port of entry, unless the steer is imported for slaughter in accordance with § 93.429. Each spayed heifer imported into the United States from Mexico shall be identified with a distinct, permanent, and legible "M<sub>x</sub>" mark applied with a freeze brand, hot iron, or other method prior to arrival at a port of entry, unless the spayed heifer is imported for slaughter in accordance with § 93.429. The "M" or "M<sub>x</sub>" mark shall be not less than 2 inches nor more than 3 inches high, and shall be applied to each animal's right hip, high on the tailhead (over the junction of the sacral and first coccygeal vertebrae).

(3) Cattle from a herd or herds in which one or more reactors to the tuberculin test have been disclosed shall not be eligible for importation until said herd or herds have reached full tuberculosis-free status under Mexican Government regulations.

(4) All bulls and female cattle accompanied by the certificate described herein shall be detained at the port of entry under the supervision of the port veterinarian until tested for tuberculosis with negative results: *Provided*, That if any reactor is disclosed in any lot when so tested at the port of entry, the entire lot shall be refused entry and the entire lot or any portion thereof shall not be eligible for importation until said lot has reached full tuberculosis-free status under Mexican Government regulations and the animals offered for entry have met the other applicable requirements of this section.

(5) The importation of Holstein steers and Holstein spayed heifers from Mexico is prohibited.

(d) *Brucellosis*. All cattle offered for importation into the United States from Mexico shall be individually identified with a numbered, blue metal eartag issued by the Mexican Ministry of Agriculture and Water Resources (SARH); and except in the case of

steers, shall be eligible for entry into the United States only if, in addition to complying with other applicable provisions of this part, they:

(1) Are accompanied by a certificate issued in accordance with § 93.405(a) stating:

(i) That such cattle originated in a herd in which all cattle (except calves under 6 months of age and steers) were tested for brucellosis not less than 30 days nor more than 90 days prior to the date of certification and were found to be negative;

(ii) The date and place such herd was tested; and

(iii) That the cattle in the herd have been isolated from all other cattle from the time the herd was tested negative for brucellosis to the date of the offer of the cattle for entry into the United States; and

(2) Except for calves under 6 months of age, are subjected to an additional test for brucellosis at the port of entry and found negative to such test: *Provided*, That if any reactor is disclosed in any lot when so tested at the port of entry, the entire lot shall be refused entry and the entire lot or any portion thereof may not be reoffered for entry until retested and recertified in accordance with paragraphs (d)(1) and (2) of this section or any cattle found to be negative to such test and any calves under 6 months of age in such lot may enter if consigned and moved under U.S. Department of Agriculture seal and without diversion to recognized slaughtering establishment as defined in § 78.1 of this chapter for immediate slaughter, or if consigned and moved under U.S. Department of Agriculture seal and without diversion to a quarantined feedlot, as defined in § 78.1 of this chapter and thereafter handled in accordance with the provisions of § 78.12 of this chapter: *Provided, further*, That if any suspect but no reactor is disclosed in any lot when so tested at the port of entry, any cattle found to be negative to such test and any calves under 6 months of age in such lot may enter without further restriction under this paragraph (d): *And provided further*, That any cattle other than cattle which are classified as a reactor or suspect to a test for brucellosis may enter the United States from Mexico without

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the certificate or any test otherwise required by this paragraph, if they are individually identified with a numbered, blue metal eartag issued by the Mexican Ministry of Agriculture and Water Resources (SARH) and are consigned and moved to a slaughtering establishment for immediate slaughter, or to a quarantined feedlot, in accordance with the first proviso in this paragraph and otherwise comply with the applicable provisions of this part.

[55 FR 31495, Aug. 2, 1990, as amended at 57 FR 2010, Jan. 17, 1992; 57 FR 28080, 28081, June 24, 1992; 58 FR 68509, Dec. 28, 1993; 59 FR 24886, May 13, 1994; 59 FR 65897, Dec. 22, 1994; 60 FR 13898, Mar. 15, 1995; 61 FR 17239, Apr. 19, 1996. Redesignated and amended at 62 FR 56012, 56019, Oct. 28, 1997; 62 FR 64266, Dec. 5, 1997]

### § 93.428 Sheep and goats and wild ruminants from Mexico.

(a) Sheep and goats intended for importation from Mexico shall be accompanied by a certificate issued in accordance with § 93.405 and stating, if such sheep and goats are shipped by rail or truck, that such animals were loaded into cleaned and disinfected cars or trucks for transportation direct to the port of entry. Notwithstanding such certificate, such sheep and goats shall be detained as provided in § 93.427(a) and shall be dipped at least once in a permitted scabies dip under supervision of an inspector.

(b) The certificate accompanying goats offered for importation from Mexico shall, in addition to the statements required by paragraph (a) of this section, state that such goats have been tested for tuberculosis and brucellosis with negative results within 30 days preceding their being offered for entry, and give the date and method of testing, the name of the consignor and of the consignee, and a description of the animals including breed, ages, markings, and tattoo and eartag numbers. Notwithstanding such certification, such goats shall be detained or quarantined as provided in § 93.427 and retested for brucellosis.

(c) If sheep or goats are unaccompanied by the certificate as required by paragraphs (a) and (b) of this section, or if they are found upon inspection or retesting, as provided for in this part, to be affected with a communicable

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disease or to have been exposed thereto, they shall be refused entry and shall be handled thereafter in accordance with the provisions of section 8 of the Act of August 30, 1890 (26 Stat. 416; 21 U.S.C. 103), or quarantined, or otherwise disposed of as the Administrator may direct.

(d) Certificates will not be required for wild ruminants, other than sheep and goats, originating in and shipped direct from Mexico, but such animals are subject to inspection at the port of entry as provided in § 93.426.

(Approved by the Office of Management and Budget under control number 0579-0040)

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### § 93.429 Ruminants for immediate slaughter.

Ruminants, other than sheep and goats, may be imported from Mexico, subject to the applicable provisions of §§ 93.424, 93.425, 93.426, and 93.427(b)(2) for immediate slaughter if accompanied by a certificate issued in accordance with § 93.405(a) and stating that the veterinarian who issued the certificate has inspected the animals in the herd from which the ruminants will be imported and found them free of evidence of communicable disease, and that, so far as it has been possible to determine, they have not been exposed to any such disease common to animals of their kind during the preceding 60 days, and if the ruminants are shipped by rail or truck, the certificate shall further specify that the ruminants were loaded into cleaned and disinfected cars or trucks for transportation directly to the port of entry. Such ruminants shall be moved from the port of entry in conveyances sealed with seals of the United States Government. Sheep and goats from any part of Mexico may be imported only in compliance with other applicable sections in this part.

[55 FR 31495, Aug. 2, 1990, as amended at 57 FR 28081, June 24, 1992; 61 FR 17239, Apr. 19, 1996. Redesignated and amended at 62 FR 56012, 56019, Oct. 28, 1997]